

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
 filed in the U.S. District Court _____ on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 11-4183 12-1243	DATE FILED	U.S. DISTRICT COURT District of New Jersey
PLAINTIFF		DEFENDANT
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 6,974,595		
2 7,482,377		
3 7,759,394		
4 8,097,651		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
2			
3			
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

CLOSED

**NAUTILUS NEUROSCIENCES, INC.
and APR APPLIED PHARMA
RESEARCH SA,**

Plaintiffs,

v.

**EDICT PHARMACEUTICALS PVT.
LTD.,**

Defendant.

**Civil Action No.: 2:11-cv-04183-
ES-CLW**

**NAUTILUS NEUROSCIENCES, INC.
and APR APPLIED PHARMA
RESEARCH SA,**

Plaintiffs,

v.

**WOCKHARDT USA LLC,
WOCKHARDT LTD., and EDICT
PHARMACEUTICALS PVT. LTD.,**

Defendant.

**Civil Action No.: 2:12-cv-01243-
ES-CLW**

JUDGMENT AND ORDER OF PERMANENT INJUNCTION

This action for patent infringement having been brought by Plaintiffs and Counterclaim-Defendants Nautilus Neurosciences, Inc. ("Nautilus") and APR Applied Pharma Research NA, ("APR," and, together with Nautilus, "Plaintiffs") and Defendant and Counterclaim-Plaintiff Edict Pharmaceuticals Pvt. Ltd. ("Defendant") for infringement of United States Patent Nos. 6,974,595; 7,482,377; 7,759,394; and 8,097,651 (collectively, the "Patents");

Plaintiffs and Defendant have entered into a confidential settlement agreement and related confidential sublicense agreement under which Nautilus has granted Defendant a sublicense under the Patents, pursuant to the terms and conditions in the settlement agreement and sublicense agreement; and

Plaintiffs and Defendant have further agreed to the imposition of a Permanent Injunction, pursuant to which Defendant may not commercialize a generic version of Nautilus's branded Cambia® product before the date specified in the sublicense agreement.

Defendant acknowledges that the filing of an Abbreviated New Drug Application ("Defendant's ANDA") describing a 50 mg strength diclofenac potassium powder for oral solution product would infringe the claims of the Patents and, in the absence of the sublicense agreement, the selling, offering for sale, using and/or importing into the United States such a product ("Defendant's Product") would infringe each of the Patents. Plaintiffs and Defendant now consent to this Judgment and Order and
IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. This Court has jurisdiction over the parties and subject matter of this action.

2. All affirmative defenses, claims and counterclaims raised by Defendant in this action are dismissed with prejudice.
3. Defendant, its officers, agents, attorneys and employees and those acting in privity or concert with them are hereby enjoined and stopped during the term of the Patents from making, using, selling, offering for sale within the United States or importing into the United States the diclofenac potassium powder for oral solution, 50 mg product described in Defendant's ANDA No. 202964.
4. The foregoing injunction against Defendant shall take effect immediately upon entry of this Judgment and Order by the Court, and shall continue generally with respect to each of the Patents until the expiration of such Patent, unless (i) earlier terminated or modified by further order of this Court, (ii) a final judgment from which no appeal can be taken or is taken is entered by a United States court of competent jurisdiction, that all of the asserted and adjudicated claims of the Patents are unenforceable, or (iii) a final judgment from which no appeal can be or is taken is entered by a United States court of competent jurisdiction, that all of the asserted and adjudicated claims of the Patents are invalid.
5. Nothing in this Judgment shall affect or otherwise delay the effective date of approval of Defendant's ANDA No. 202964.
6. Nothing in this Judgment shall affect the "paragraph IV certifications" to the Patents in Defendant's ANDA No. 202964, which paragraph IV certifications Defendant shall be entitled to lawfully maintain pursuant to its sublicense to the Patents.
7. The parties waive all right to appeal from this Judgment and Order.

8. This Court shall retain jurisdiction of this action and over the parties for purposes of enforcement of the provisions of this Judgment and Order.
9. Each party is to bear its own costs and attorney's fees.

Dated: September 25, 2012

s/Arnold B. Calmann

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APR Applied Pharma Research SA*

SO ORDERED:


United States District Judge

Dated: 9/26/12